INTERMUNICIPAL AGREEMENT LITTLETON COMMUNITY TELEVISION (LCTV) SERVICES

This Inter-Municipal Agreement (the "Agreement") is entered into pursuant to M.G.L. c.40, § 4A, on the last day of execution below (the Effective Date), by and between the Town of Boxborough, a municipal corporation with a principal office at Town Hall, 29 Middle Road, Boxborough, MA 01719 ("Boxborough") and the Town of Littleton, a municipal corporation with a principal office at Town Hall, 37 Shattuck Street, Littleton, MA 01460 ("Littleton").

Whereas, Boxborough is seeking the services of the Littleton Community Television (LCTV) Department of the Town of Littleton as described herein; and

Whereas, subject to the terms of this Inter-Municipal Agreement, Littleton is willing to provide said services for Boxborough.

NOW THEREFORE the Towns agree as follows:

Term

- 1. The Term of this Agreement shall be from July 1, 2022, through June 30, 2023, subject to appropriation of funding by Boxborough.
- The Agreement may be further extended or modified upon written Agreement of the Boxborough Town Administrator and the Littleton Town Administrator and as approved by the respective Select Boards.
- 3. The Initial Term and all Extension Terms shall be collectively referred to as the Term.
- 4. The Agreement may be terminated for convenience by either party as provided below.

Littleton's Commitment to Provide LCTV Services to Boxborough

- 5. Littleton shall provide LCTV services to Boxborough as defined under Scope of Services below. Services shall include seven hundred sixty (760) hours of staffing for management and oversight; and broadcast of all regularly scheduled Select Board (SB) meetings, and Annual and Special Town meetings (ATM/STM). Coverage of unscheduled meetings that may or may not be held in the defined video locations may incur hourly supplemental service fees (defined in #9). New/Additional board or committee meeting coverage may be added to this agreement by mutually amending the terms and conditions of this agreement or as would be covered under the LCTV Services Definitions (Service #10 Extend Government Meeting Coverage).
- 6. Clear communication of meeting dates for Boxborough's Annual and/or Special Town meetings and regularly covered meetings for the term of this document is necessary to avoid the possibility that these meetings coincide with Littleton's ATM or STM. However, if LCTV is not available to provide video coverage, LCTV shall provide Boxborough with at least sixty (60) days' notice and shall provide a credit to Boxborough in an amount to be mutually agreed upon. In all such instances LCTV agrees to make a good faith effort to assist Boxborough in identifying suitable back-up video service vendors.

7. It is LCTV's goal to accommodate when Boxborough reschedules cancelled or adds special non-scheduled meetings. The availability of LCTV resources or BXB-TV Media Technicians may not coincide with requested dates/times. Providing coverage for rescheduled meetings (particularly in non-standard locations), or adding special non-scheduled meetings, must be discussed with LCTV as soon as Boxborough knows of such change(s) to address scheduling, Media Technician and equipment availability, and to determine site suitability for video productions. Additional equipment and labor fees may be required for non-established locations.

Boxborough's Financial Commitment to Pay Littleton for LCTV Services

- 8. In consideration for the basic and additional services (See item #22 Scope of Services) provided under this Agreement, Boxborough shall pay Littleton the sum of Seventy Three Thousand Dollars (\$73,000) for the period July 1, 2022 through June 30, 2023, to be paid in four quarterly installments of Eighteen Thousand Two Hundred and Fifty Dollars (\$18,250).
- In consideration for supplemental hourly services provided under this Agreement, Boxborough shall agree to pay Littleton the sum of \$120.00 per hour, per person, two hour minimum, excluding additional/special equipment rental for the period July 1, 2022 through June 30, 2023.
- 10. Unless otherwise agreed in writing by the Boxborough Town Administrator and the Littleton Town Administrator, Littleton's Treasurer will invoice Boxborough on September 30, 2022 and December 31, 2022, and on March 31, 2023 and June 20, 2023 and Boxborough's Treasurer shall pay each such invoice within thirty (30) days of the invoice date.
- 11. Boxborough warrants and represents that it has appropriated funds for and sufficient to cover Boxborough's financial commitment to pay Littleton for the shared services and any related costs and expenses under this Agreement.
- 12. For each Extended Term, Boxborough warrants and represents that it shall either (a) appropriate funds for and sufficient to cover Boxborough's financial commitment to pay Littleton for the shared services and any related costs and expenses under this Agreement, or (b) notify Littleton in writing at least thirty days prior to the commencement of the Extended Term that Boxborough has not made such an appropriation in which case this Agreement shall be null and void and of no further force or effect.

Record Keeping

13. LCTV shall keep accurate records of meetings covered under this Agreement.

Personnel

- 14. During the Term, Littleton shall employ and pay all benefits for the LCTV Executive Director, LCTV Production Supervisor, and LCTV Video Coordinator.
- 15. LCTV personnel while engaged in performing LCTV Services in Boxborough under this Agreement shall be deemed to be engaged in the service and employment of Littleton, notwithstanding such service, activity or undertaking is being performed in or for Boxborough.

16. Boxborough shall, at its sole cost, add the LCTV Executive Director, Production Supervisor, and Video Coordinator performing Services in Boxborough under this Agreement as an additional insured under all of Boxborough's liability insurance policies covering Boxborough's employees including without limitation the automobile and comprehensive general liability insurance policies.

Defined Established Video Locations

- 17. Defined video locations for Boxborough Town Hall meetings are the Grange meeting room and the Morse-Hilberg meeting room. For Special Town Meeting or Annual Town Meetings the defined videotape location is the Blanchard Memorial School gym.
- 18. LCTV should be involved if power, lighting or acoustics in the defined video locations are adjusted or changed.
- 19. Live broadcast transmissions require either local or remote network access to the Town Hall domain connected to the Town Hall video playback server.

Rights and Indemnities

- 20. By entering into this Agreement, Boxborough and Littleton have not waived any governmental immunity or limitation of damages that may be extended to them by operation of law. Boxborough and Littleton are the sole and exclusive beneficiaries of the Agreement. No third party rights, express or implied, are created by this Agreement. The provisions of this paragraph shall survive termination of the Agreement.
- 21. Notwithstanding the preceding paragraph, to the maximum extent permitted by law, both Boxborough and Littleton agree that with respect to incidents which occur in their own town, they will defend, indemnify, and hold each other harmless from and against any and all claims or causes of action for injury, loss, damage, liability, costs or expenses (including reasonable attorneys' fees and court costs) arising out of any occurrences in each parties' respective towns which are related to LCTV Services provided in their own town under this Agreement. The provisions of this paragraph shall survive termination of the Agreement.

Scope of LCTV Services

22. LCTV Services provided under this Agreement for Live TV broadcast shall include the following, as more fully described in Appendix A, LCTV Services Definitions, attached hereto and made part hereof:

Basic Services

Service #1 Administration Fee/Costs

Service #2 Management of the Boxborough Station

Service #3 Maintain Boxborough Program Schedule

Service #4 Maintain Boxborough Broadcast Equipment

Service #5 Update/Maintain Community Bulletin Board

Service #6 Recruit/Train Media Technicians

Service #7 Work with TA Administrative Assistant on Meetings/Schedules

Service #8 Schedule Media Technicians for Meetings

Service #9 Videotape Special/Annual Town Meetings

Service #10 Extend Government Meeting Coverage beyond Select Board meetings to include either in-person or virtual meetings. (Planning Board - 2019; Finance Committee - 2020)

Service #11 On-demand programming for Government programming

Service #14 Evaluate/Facilitate New Broadcast Equipment Acquisition

Service #19 Staffed LCTV Production Services (2018)

Additional Option Services

Service #12 Train Boxborough Residents (2017)

Service #18 Access to LCTV Production Studios (2017)

23. This Scope of Services may be amended from time to time with the mutual written agreement of both Towns.

Administration

- 24. The Boxborough Town Administrator and the Littleton Town Administrator shall administer this Agreement. They shall meet and/or confer periodically with the LCTV Executive Director and/or the Video Production Supervisor to address matters of this IMA, BXB-TV budget, policy, operations and logistics as from time to time may arise under this Agreement.
- 25. The Littleton Town Administrator supervises the LCTV Video Production Supervisor, and Video Coordinator.

Termination

26. Either Boxborough or Littleton, by votes of their Select Boards, may terminate this Agreement at any time on sixty (60) days advance written notice to the other, after which time this Agreement shall be null and void and of no further force or effect except (a) as to payments owed for services provided prior to termination, and (b) as otherwise expressly set forth with respect to survival of paragraphs 21 and 22 above.

Notices

27. All notices required under this Agreement shall be deemed made when provided by hand, sent by certified mail, or sent by overnight mail or courier service to, as applicable, (a) the Boxborough Town Administrator, Town Hall, 29 Middle Road, Boxborough, MA 01719, with a copy to the Boxborough Select Board at the same address, and (b) the Littleton Town Administrator, Town Hall, 37 Shattuck Street, Littleton, MA 01460, with a copy to the Littleton Select Board at the same address.

Assignment

28. This Agreement shall not be assigned or transferred by either party, without the express written consent of the other party given with the same formalities as are required for the execution of this Agreement.

Entire Agreement

29. This Agreement constitutes the entire agreement of the parties with respect to the subject matter hereof and supersedes all prior agreements and understandings relating to the subject matter.

IN WITNESS WHEREOF, the parties hereto have	e executed this Agreement as of the 25 day of
<u> Clocis</u> 2022.	
Boxborough Town Administrator	Littleton Town Administrator
APPROVED BY: Select Board of the Town of Boxborough	APPROVED BY: Select Board of the Town of Littleton
SB Chair	SB Chair
SB Clerk	SB Vice Chair
SB Member	SB Clerk Clark
SB Member SB Member	SB Member

LCTV Services Definitions

March 16

2022

NOTE: This document outlines the services that could be provided by the Littleton Community Television. These definitions are not a contract of delivered services, but descriptions of possible services to be included in the Inter Municipal Agreement (IMA). Delivery of any service requires a current, properly executed IMA between the Littleton and Boxborough municipalities.

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Littleton Community Television (LCTV) Services Descriptions As of March 16, 2022

Service #1 Administration Fee/Costs

Service Description- Administration and costs associated with the administration of the Boxborough **Community Access Channels and Station**

Service Scope - Mutually agreed upon list of services and period of management; Agreement and Service Descriptions reviewed on an annual basis by Littleton and Boxborough.

Service delivery - Produce Government-specific content for broadcast on Cable Provider networks, based on their valid franchise agreement with the Local Franchise Authority (LFA), the Boxborough Select Board. LCTV must be provided local and remote access to Boxborough broadcast facilities and equipment 24x7x365 for live broadcasting of the Government content on the Cable Providers supplied channels (Comcast 9 and Verizon 39).

Service Dependencies/Interdependencies - Development of yearly Inter-Municipal Agreement (IMA) for broadcast video and associated technical services. Services listed in the IMA will be provided based on Littleton's costs of delivery of same.

Service #2 Management of the Boxborough Station

Service Description - Provide for the day to day management and operation of the Boxborough Station (BXB-TV)

Service Scope – Scope is defined as the management of equipment required to deliver live broadcasts of Select Board meetings, Annual Town and Special Town meetings on the Comcast and Verizon Government channels.

Service delivery – Working under the policy direction of the Boxborough Cable Advisory Committee or Select Board, supervised by the Boxborough Town Administrator, perform professional, administrative, and supervisory work in planning, coordinating and administering the delivery of public access programming of the Government channels (Comcast 9 and Verizon 39) for the citizens of Boxborough. Refer to Service #9 Broadcast/Record Meetings, Special/Annual Town Meetings.

Service Dependencies - #1

Service #3 Maintain Boxborough Program Schedule

Service Description - Using existing playback server equipment, create a weekly schedule of existing government access channel programming.

Service Scope – Programming coverage is based on current content

Service delivery – On-Air schedule and Town provided PSA's;

Service Dependencies/Interdependencies - #2

Service #4 Maintain Boxborough Broadcast Equipment

Service Description - This includes an inventory of Boxborough Town broadcasting equipment.

Determine its operating condition; if applicable determine the software/firmware levels of equipment and upgrade to manufacturer's recommended current release.

Service Scope – This is not evaluation of new equipment for acquisition to extend services or services delivery, but the day to day care and maintenance of the equipment.

Service delivery – Create inventory of equipment (spreadsheet) with serial numbers and software/firmware revision information. Boxborough TA Administrator has current file.

Service Dependencies/Interdependencies - #2

Service #5 Update/Maintain Community Bulletin Board

Service Description – Assist Assistant Town Administrator or designee to maintain information that is broadcast as the Community Bulletin Board (CBB)

Service Scope – Process CBB slides for posting on the GOV channel Bulletin Board

Service delivery - Receive .jpg, .png files that are imported into the playback server for scheduled airing.

Service Dependencies/Interdependencies - #2, #3, Town Laptop; Network Interface to the playback server

Service #6 Recruit/Train Boxborough Media Technicians

Service Description – Online recruitment of paid Media Technicians, their training in video and audio capture techniques.

Service Scope – Online recruitment via the Community Bulletin Board; Recruitment of Media Technicians by posting job descriptions in Town Hall and Town Website is the purview of the Town of Boxborough;

Service delivery - Online recruitment via the Community Bulletin Board; Training to occur in Boxborough Studios and additional practical training onsite using the existing Boxborough equipment

Service Dependencies/Interdependencies - #2

Service #7 Work with Town Clerk on Meetings/Schedules

Service Description - Receive emails on the agendas of upcoming live broadcasted meetings; Emails for meeting coverage requests must be received no later than 48 hours prior to requested TV coverage to enable Media Technician scheduling as per Open Meeting Law.

Service Scope - This includes the Select Board regular monthly meetings, ATM and STM events and any additional meetings added as part of the Service #10 - Extend Government Meeting Coverage

Service delivery – Weekly Email/phone conversations on upcoming meetings

Service Dependencies/Interdependencies - #6

Service #8 Schedule Boxborough Media Technicians for Meetings

Service Description - Schedule Media Technicians for meeting coverage

Service Scope – Communication with Media Technician (Town employees) regarding meeting coverage

Service delivery - Regular communication with Media Technicians for scheduled meeting coverage (email, text, cell)

Service Dependencies/Interdependencies - #6, #7

Service #9 Broadcast/Record Meetings, Special/Annual Town Meetings

Service Description - Provide live and delayed broadcast coverage of Boxborough Government Meetings

Service Scope - Scope is defined as the broadcasts of the Select Board meetings (24 count), one Annual town meeting (maximum duration of up to three nights) and one Special Town meeting (maximum duration of up to two nights) per fiscal year on the Comcast and Verizon Government channels.

Service delivery - Provide a multi-camera shoot of Boxborough meetings using Boxborough's BXB-TV permanent or mobile cameras, cabling, audio mixer, and video switcher. Created real time programing will be imported into the playback server for scheduled rebroadcast.

Service Dependencies/Interdependencies - #1, #2, #8

Service #10 Expand Government Meeting Coverage

Service Description - Expand coverage to new board or committee meetings. Meeting coverage can be In-person, Virtual or a combination of the two referred to as a Hybrid meeting.

In-Person coverage - LCTV to provide technical assistance to Boxborough Media Technicians. Media Technicians to provide actual taping of meeting. LCTV will live or delay broadcast two meetings per/month, approximate duration of 3 hours per Board or Committee. Littleton to provide maximum of two hours post-production work per meeting.

Virtual or Hybrid Event Coverage – Provide for basic training of Hosting and Moderating virtual or hybrid meeting coverage using Boxborough virtual license accounts. Cloud video link (URL) of recording to be provided by board or committee Host to LCTV. Minimal (1 hour) post-production time for each virtual meeting. Hybrid meetings will require additional LCTV Staff time (1.5 hours) for set-up/production and requires Boxborough supplied equipment (in-person Zoom client laptop(s)) per group covered depending on scheduling of coverage.

Hybrid meeting coverage will be predicated on established Hybrid meeting room availability (Grange Hall), available LCTV Staff and/or Media Technician coverage, and Boxborough budget constraints for Media technician funding.

Service Scope - The Planning Board and the Finance committee meetings are included in this Service Option.

Service Delivery – LCTV to provide for additional Media technician oversight and scheduling. Use of existing Boxborough Grange Hall broadcast gear or an ENG camera and wireless microphone. Non-Grange meetings are single camera only with basic audio coverage (one microphone) per meeting.

Service Dependencies/Interdependencies #6, #7, #8

Service #11 On Demand Programming for Government and Locally produced programming

Service Description - Using Castus On-Demand subscription services with links on the Boxborough Town website, provide web links to live or delayed broadcast created programming

Service Scope - Government meeting coverage defined in Service #2 or as added by Service #10

Service delivery - Main delivery mechanism will be thru a Boxborough paid subscription service of Castus On-Demand to upload and Cloud-store video content of Boxborough Government meetings and Select Board authorized local programming content.

Service Dependencies/Interdependencies - #1, #2, #10

Service #12 Add Content of Littleton Program Schedule to Boxborough

Service Description - Add programming content of Littleton Public Access Channels to the Boxborough Public Access Channels (Comcast and Verizon)

Service Scope – This is use of existing Littleton programming content, not the creation of Boxborough specific content

Service delivery - Import Littleton specific content.

Service Dependencies/Interdependencies – Funding for Castus On-Demand specific programming, #3

Service #13 Launch Boxborough Public/Education Access Channels Under the current 2020 BXB-TV Government Channel Policies, this service option can never occur. This

will be removed in the 2023 Definitions Document.

Service Description - Creation and public launch of Public, Education Access Channels distinct from the previously expanded Government and added combination of Littleton content programming Service Scope -

Service delivery - There will now be three specific Access Channels, Public, Educational and Government, each with their own scheduling and programming Service Dependencies/Interdependencies - #2, #3, #5

Service #14 Train Boxborough Residents

Service Description - Train Boxborough residents or Town Staff (Students) in the use of Boxborough's electronic news gathering kits (ENG -Cameras, Tripods, and Wireless Microphones). Fundamentals of camera work will be covered including operation and composition, adjusting audio and video inputs for different locations and situations.

Service Scope - This serves two purposes. 1) Generating interest in Boxborough's video production and volunteering for GOV meeting coverage. 2) ENG specific training for Students that want to provide additional meeting coverage or for GOV related public events.

Service delivery – Allow Boxborough Students the opportunity of attending the LCTV Video Production Workshops (2-3 times per calendar year In LCTV Studios) and to provide quarterly training (two -two hour meetings) on the specific use of the Boxborough ENG Kits (Training to be held in the Boxborough Grange Hall). Services will be authorized by the Select Board and/or the Town Administrator, invoiced on a quarterly basis per training session with each session having two meetings. Time and dates TBD and coordinated between both Parties.

Service Dependencies/Interdependencies - #2, #21

Service #15 Launch Boxborough specific content of Programming Schedule

Under the current 2020 BXB-TV Government Channel Policies, this service option can never occur. This will be removed in the 2023 Definitions Document.

Service Description – Similar to Littleton's locally produced programming (Littleton Common, Small Town, etc/) create Boxborough specific programming. Enable/train Boxborough producers

Service Scope – Local content is somewhat dependent on recruitment of Boxborough Producers/
volunteers as on air talent

Service delivery – Programs will be produced in the Littleton Studios or remote sites using Boxborough ENG gear.

Service Dependencies/Interdependencies - #2, #13, #21Local Producers for Boxborough specific content

Service #16 Evaluate/facilitate new broadcast equipment acquisition

Service Description – Based on evaluation of existing equipment, Boxborough policies and current operating practices, determine equipment requirements for broadcasting, production, and post-production

Service Scope – Creation of high level 10 year capital plan. This plan should be reviewed annually by the Boxborough Cable Advisory group, who is technically capable of such review.

Service delivery – Creation of high level 10 year capital plan (2021). This plan should take into consideration current equipment, its service life, as well as incorporating any plans by the Town for new facilities that include new video suites, equipment upgrades and technology advances.

Service Dependencies/Interdependencies – #4

Service #17 Work with Safety Agencies

Service Description – Work with Boxborough Safety Agencies to create Internal and Public training and PSA's

Service Scope – Work with the Boxborough Police and Fire Departments or Department of Public Works as requested and authorized by the Select Board and/or Town Administrator

Service delivery – Working with BPD and BFD public liaison officers or DPW standalone programming segments in LCTV studios for broadcast on BXB-TV.

Service Dependencies/Interdependencies – #2, #13, #21

Service #18 Create Copies of Local Programs

This Option will be removed in the 2023 Definitions Document.

Service Description - Create DVD copies of locally created programming

Service Scope -

Service delivery – Upon request, create copies of programming for Boxborough residents (min charge per copy)

Service Dependencies/Interdependencies - #2

Service #19 Record School Activities

Under the current 2020 BXB-TV Government Channel Policies, this service option can never occur. This will be removed in the 2023 Definitions Document.

Service Description -- Provide coverage for School activities (Blanchard School Graduation 8th).

Service Scope -- Coverage based on established hourly rates and availability of LCTV Staff or Media Techs

Service delivery -- Videotape school related activities for rebroadcast on Educational Channel

Service Dependencies/Interdependencies -- #2, #13

Service #20 Work with ActonTV on Sharing Content

Service Description –Coordinate the sharing of produced content on the ActonTV Public Access Channels or Boxborough's Government channel

Service Scope - Determine technical requirements of inter-municipal content sharing

Service delivery - Liaise, coordinate bicycling of Boxborough programs on Acton channels or vice versa

Service Dependencies/Interdependencies – #2, #12, #14, #15

Service #21 Access to LCTV Production Studios

Service Description – Train Boxborough residents or Town Staff (Students) in basic non-linear video editing using Final Cut Pro (FCP) video editing software. Under the guidance of Littleton Cable TV staff, students will learn how to edit the footage created on Boxborough's electronic news gathering kits (ENG) to produce a broadcast ready show. Depending on its content the program will be reviewed by BXBTV management for possible airing on BXBTV GOV channels or BXBTV's On-Demand web site.

Service Scope – This allows Students access to LCTV studio, video software training, and video editing software/hardware. Students will receive four hours of training on FCP per student on importing video footage, and editing the footage. This provides for the post-production mechanism for either additional GOV meetings or footage of special Boxborough town events. Once trained, Boxborough residents will have access to the LCTV studio for post-production activities based on availability and scheduling of the studio resources.

Service delivery - Train students in the use of Final Cut Pro video editing software. Provide access to the LCTV Studio during normal business hours. Services will be invoiced on a per guarterly basis per student. BXBTV management will be responsible for authorizing this training in advance and to provide for equipment scheduling. This option requires a startup cost to accommodate the additional Boxborough students at the LCTV facilities. Produced programs can be aired on either the BXBTV GOV channel and/or the Boxborough On-Demand website based upon BXBTV management approval.

Service Dependencies/Interdependencies – #2, #14

Service #22 Access to LCTV Mobile Production Van

Service Description – Boxborough access to the LCTV Production Van for production/post-production usage

Service Scope – Scheduling required to coordinate with existing Littleton usage of Production Van

Service delivery – Defined service hours and availability of LCTV Production Van

Service Dependencies/Interdependencies – #2, #14, #15

Service #23 Staffed LCTV Production Services

Service Description - Scheduled use of LCTV studio-based video production facilities or one on-site LCTV staff member as an equipment operator/producer to be charged at the current supplemental hourly rate.

Service Scope – This allows access to staffed LCTV Production services as a preferred Customer. The Town of Boxborough will receive two yearly one hour sessions as part of their Basic services. This has been used for creating Special or Annual Town meeting preview programs.

The two sessions are inclusive of one hour of post-production services per program.

Any additional post-production services associated or required to complete productions for broadcast will be billed at the currently defined supplemental services rate.

Service delivery - Provide Boxborough TA or Select Board authorized access to the LCTV Studio Production Facility during normal business hours. Services will be invoiced on a per quarterly basis. BXBTV management will be responsible for authorizing these services/costs in advance. This recorded programming will be for broadcast on current BXB-TV Access channels or On-Demand in the audio/video format required by the existing playback and/or on-demand server.

Service Dependencies/Interdependencies – #2, #14